

MINUTES OF AN ADJOURNED REGULAR MEETING OF THE CITY COUNCIL
AND A REGULAR MEETING OF THE REDEVELOPMENT AGENCY
OF THE CITY OF CHULA VISTA

February 5, 2002

4:00 p.m.

An Adjourned Regular Meeting of the City Council and a Regular Meeting of the Redevelopment Agency of the City of Chula Vista were called to order at 5:00 p.m. in the Council Chambers, located in the Public Services Building, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

PRESENT: Agency/Councilmembers: Davis, Padilla, Rindone, Salas and
Chair/Mayor Horton

ABSENT: Agency/Councilmembers: None

ALSO PRESENT: Executive Director/City Manager Rowlands, Agency/City
Attorney Kaheny, and City Clerk Bigelow

CONSENT CALENDAR

1. COUNCIL RESOLUTION NO. 2002-031 AND AGENCY RESOLUTION NO. 1767, RESOLUTIONS OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA AUTHORIZING THE CHULA VISTA NATURE CENTER TO APPLY FOR GRANT FUNDS FROM THE WILDLIFE CARE FACILITIES GRANT UNDER THE DR. PAUL CHAFFEE ZOOLOGICAL PROGRAM FUNDED BY THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000; AND APPOINTING THE NATURE CENTER DIRECTOR AS THE CITY'S AGENT TO EXECUTE RELATED AGREEMENTS WITH THE STATE OF CALIFORNIA IF A GRANT IS AWARDED

The Chula Vista Nature Center has been encouraged by the State of California to compete for funding from the Wildlife Care Facilities Grant Program, which will make available funding on a competitive basis for facilities which care for native California wildlife that have been injured and cannot be returned to the wild. A resolution of the Agency and City Council authorizing the Nature Center's grant application and designating the City's representative is a required element of the submittal. (Nature Center Director)

Staff recommendation: Agency/Council adopt the resolution.

ACTION: Agency/Councilmember Rindone moved to approve staff's recommendation and offered Consent Calendar Item #1, heading read, text waived. The motion carried 5-0.

ORAL COMMUNICATIONS

There were none.

PUBLIC HEARINGS

2. PUBLIC HEARING TO CONSIDER GRANTING A SPECIAL USE PERMIT (SUPS-01-05) TO ALLOW THE DEVELOPMENT OF AN AUTOMATIC CAR WASH AND LUBE CENTER AT 1616 THIRD AVENUE/304 MONTGOMERY STREET WITHIN THE SOUTHWEST REDEVELOPMENT PROJECT AREA

ACTION: Chair/Mayor Horton moved to continue the item indefinitely at the request of staff. Agency/Councilmember Davis seconded the motion, and it carried 5-0.

ACTION ITEMS

3. CONSIDERATION OF 1) AMENDMENTS TO THE ARTICLES OF INCORPORATION AND BYLAWS OF THE ENVIRONMENTAL LEGACY FUND; 2) FORGIVING AND ELIMINATING ALL AMOUNTS OWED BY THE NATURE CENTER TO THE CITY'S GENERAL FUND AND THE REDEVELOPMENT AGENCY AS OF THE DATE OF BCT DISSOLUTION AND RATIFYING THE BAYFRONT CONSERVANCY TRUST'S APPLICATION TO THE SECRETARY OF STATE FOR CORPORATE DISSOLUTION; 3) CREATION OF THE NATURE CENTER BOARD OF TRUSTEES; 4) ESTABLISHMENT OF THE NATURE CENTER DEPARTMENT; 5) APPOINTMENT OF DANIEL BEINTEMA THE DIRECTOR OF THE NATURE CENTER DEPARTMENT; AND 6) AMENDMENT OF THE FY 2002/03 SPENDING PLAN TO ESTABLISH THE NATURE CENTER AS A GENERAL FUND DEPARTMENT, AND AMENDMENT OF THE ADOPTED BUDGET FOR FY 2001/02 APPROPRIATING \$63,710 FROM THE AVAILABLE FUND BALANCE OF THE GENERAL FUND TO REPAY A LOAN FROM THE SEWER FUND TO THE NATURE CENTER

Since its incorporation in 1986, the function and mission of the Bayfront Conservancy Trust (BCT) has evolved from an entity seeking to receive and hold dedications of land, restore the Sweetwater Marsh complex, and own and operate the Chula Vista Nature Center. The BCT is now an entity whose mission is advisory in nature as an advocate for the enhancement of the Nature Center and the Sweetwater Marsh National Wildlife Refuge. To that end, it is the desire of the BCT to dissolve the non-profit corporation and establish a new body charged with advising the City on matters related to the Chula Vista Nature Center. (City Manager/Executive Director of the Redevelopment Agency)

ACTION: Agency/Councilmember Salas offered the following Resolutions for adoption and the following Ordinances for first reading:

- A. RESOLUTION NO, 2002-032, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE ARTICLES OF INCORPORATION AND BYLAWS OF THE ENVIRONMENTAL LEGACY FUND

ACTION ITEMS (Continued)

- B. COUNCIL RESOLUTION NO. 2002-033 AND AGENCY RESOLUTION NO. 1768, RESOLUTIONS OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA FORGIVING AND ELIMINATING ALL AMOUNTS OWED BY THE NATURE CENTER TO THE CITY'S GENERAL FUND AND THE REDEVELOPMENT AGENCY AS OF THE DATE OF BCT DISSOLUTION AND RATIFYING THE BAYFRONT CONSERVANCY TRUST'S APPLICATION TO THE SECRETARY OF STATE FOR CORPORATE DISSOLUTION
- C. ORDINANCE NO. 2852, ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADDING CHAPTER 2.41 TO THE CHULA VISTA MUNICIPAL CODE RELATING TO THE CREATION OF THE NATURE CENTER BOARD OF TRUSTEES
- D. ORDINANCE NO. 2853, ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADDING CHAPTER 2.19 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO THE ESTABLISHMENT OF THE NATURE CENTER DEPARTMENT, EFFECTIVE JULY 1, 2002
- E. RESOLUTION NO. 2002-034, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPOINTING DANIEL BEINTEMA THE DIRECTOR OF THE NATURE CENTER DEPARTMENT
- F. RESOLUTION NO. 2002-035, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FY 2002/03 SPENDING PLAN TO ESTABLISH THE NATURE CENTER AS A GENERAL FUND DEPARTMENT, AND AMENDING THE ADOPTED BUDGET FOR FY 2001/02 APPROPRIATING \$63,710 FROM THE AVAILABLE FUND BALANCE OF THE GENERAL FUND TO REPAY A LOAN FROM THE SEWER FUND TO THE NATURE CENTER

The motion carried 5-0.

OTHER BUSINESS

4. DIRECTOR'S REPORTS

There were none.

5. CHAIR/MAYOR REPORTS

There were none.

6. AGENCY/COUNCIL COMMENTS

There were none.

CLOSED SESSION

7. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION
PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A)
Tuchscher vs. City of Chula Vista, Superior Court, County of San Diego, San Diego
Judicial District, Court Case No. GIC758620

No action was taken on this item.

ADJOURNMENT

At 5:40 p.m., Chair/Mayor Horton adjourned the meeting to the Regular Meeting of the Redevelopment Agency on February 19, 2002, at 6:00 p.m., immediately following the City Council meeting in the City Council Chambers.

Susan Bigelow, CMC/AAE, City Clerk